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November 22, 2019

**VIA ECF:**

Hon. Ann M. Donnelly  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn New York 11201

Re: Raja v. Burns, et al, 19-cv-01328 (AMD)

Your Honor:

Plaintiff opposes defendants' for an adjournment of the oral argument in this action. First, the motions to be argued were fully briefed as July 25 and the oral argument has already been re-scheduled several times (albeit not due to defendants' request). Second, defendants did not ask for plaintiffs' consent, as is required by your Individual Practice Rules. Most important, the reason for the request, that Mr. Horowitz has an argument in another case, is not compelling. Mr. Horowitz did not sign any of the briefs or papers submitted on the motions to be argued. Indeed, he did not appear in this action until October 16, about three months after the motions were fully briefed. Thus Mr. Horowitz offers no reason why his presence is critical or why Ms. Stitelman, who signed all the defendants' motion papers, cannot conduct the oral argument on November 26.

That said, if the Court is inclined to grant the extension, we request that the argument be re-scheduled as soon as the Court is able to do so.

Respectfully submitted,

/s/

Daniel L. Ackman

cc: Hon. Ramon E. Reyes, Jr. (by ECF)  
All Counsel (by ECF)